

**SUPPORTING STATEMENT
NORTHEAST FISHERIES OBSERVER PROGRAM FISHERMEN'S
COMMENT CARD
OMB CONTROL NO. 0648-0536**

A. JUSTIFICATION

1. Explain the circumstances that make the collection of information necessary.

This request is for renewal of this information collection.

The Northeast Fisheries Observer Program (NEFOP) is managed by the Fisheries Sampling Branch (FSB) at the Northeast Fisheries Science Center, National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Department of Commerce (DOC). Observer services are contracted to one service provider company, and two approved industry-funded providers. The contract is overseen directly by the staff of the FSB. Observer provider contracts are generally competitive contracts with five option years renewed on an annual basis. NEFOP observers will observe aboard commercial fishing vessels involved in state or Federal fisheries, as required by Fisheries Management Plans ([50CFR648.11](#)) and court mandates and through legislation such as the Magnuson Stevens Act, Sections 303 and 403, and the Marine Mammal Protection Act, Section 1387. Approximately 100 observers work for the NEFOP from Maine to North Carolina. Depending on annual funding levels, the approximate number of sea days observed per year is 10,000 days. Additional information about the program is provided at: <http://www.nefsc.noaa.gov/femad/fsb/>.

The Fisherman's Comment Card will help NEFOP assess observer performance (i.e. contractor performance), ensure higher data quality, help to detect fraud, and provide the fishermen with a direct line of communication to the program management. Improved communication and outreach is a priority for the NEFOP. It is important to get the fishermen's opinions about the program and have a standardized method for them to report their concerns and evaluations of the program.

2. Explain how, by whom, how frequently, and for what purpose the information will be used. If the information collected will be disseminated to the public or used to support information that will be disseminated to the public, then explain how the collection complies with all applicable Information Quality Guidelines.

Every observer will leave a copy of this return-addressed, postage prepaid Comment Card on the vessel at the completion of each trip, unless the captain indicates that he already has one and does not wish to have another. It is also available electronically on our FSB website at: <http://www.nefsc.noaa.gov/femad/fsb/>. Hard copies of the Comment Card are routinely available at Fisheries Management Council Meetings and other outreach events. The Comment Cards are also sometimes distributed and collected at the docks by FSB Area Leads. The captain, owner, or crewmember in charge may complete them.

The Card's heading information includes the landing date of the trip, port, the vessel name, hull number, the person's name, and the person's position. There are two sections: I (observer

performance and II) request for additional information. In the first section, observer performance, there are 12 yes/no questions relating to how the trip was set up, what the observer did during the trip, if there were any safety concerns, and if the captain was given the option to get a copy of the trip observations. There is a blank area to write comments if needed. The second section has six check boxes for requests for additional information and if additional information is requested, how they would like to receive it.

We do not intend to extrapolate the survey responses to the complete population. The number of responses will be counted and the responses for each question will be counted and summarized. We will also present the number of trips that observers were on, the number of different vessels on which they deployed, and the number of different vessels that responded to the survey. We will also summarize the number of responses received per individual. The summaries will be provided semi-annually. The summaries will be posted on the FSB website listed above. Vessel names, hull numbers, and person's name will be held confidential and will not be released outside of NEFOP staff. Survey responses will be read immediately by the Branch Chief, Outreach Coordinator, and Contracting Officer so that problem areas can be immediately addressed and requested information will be responded to in a timely basis.

As explained in the preceding paragraphs, the information gathered has utility. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to Section 515 of Public Law 106-554.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological techniques or other forms of information technology.

In addition to being given out by observers and via other outreach methods described in Question 2, the card is available electronically on our FSB website at: <http://www.nefsc.noaa.gov/femad/fsb/> and may be returned via email.

4. Describe efforts to identify duplication.

The government is currently collecting no such similar information from fishermen.

5. If the collection of information involves small businesses or other small entities, describe the methods used to minimize burden.

This collection of information is not expected to cause undue burden to small businesses. To minimize burden, the number of questions was restricted to only the most important issues related to the performance of the observer and program.

6. Describe the consequences to the Federal program or policy activities if the collection is not conducted or is conducted less frequently.

Without this comment card, the government does not receive direct feedback from the fishermen. If there were complaints about observers onboard fishing vessels or the way the program is administered, the program would not have any knowledge of them without this collection of information. The program would like to get real time information about the performance of observers and collection of scientific data directly from fishermen and address any complaints to improve the program, education, training, and/or outreach.

7. Explain any special circumstances that require the collection to be conducted in a manner inconsistent with OMB guidelines.

NA.

8. Provide information on the PRA Federal Register Notice that solicited public comments on the information collection prior to this submission. Summarize the public comments received in response to that notice and describe the actions taken by the agency in response to those comments. Describe the efforts to consult with persons outside the agency to obtain their views on the availability of data, frequency of collection, the clarity of instructions and recordkeeping, disclosure, or reporting format (if any), and on the data elements to be recorded, disclosed, or reported.

A Federal Register Notice was published on November 13, 2008 (73 FR 67134) solicited public comments. No comments were received.

The comment card was developed by Amy Van Atten, a NMFS employee who has worked with observer programs for over 17 years. The questions on the comment card relate to areas most commonly criticized by fishermen, program reviews, NMFS enforcement agents, and observer program employees. Information on potential program shortfalls continues to be conveyed through conversations with fishermen and exit interviews with observers by Ms. Van Atten. The FSB Data Quality staff and current observer provider staff also recently reviewed the card content and provided input.

9. Explain any decisions to provide payments or gifts to respondents, other than remuneration of contractors or grantees.

NA.

10. Describe any assurance of confidentiality provided to respondents and the basis for assurance in statute, regulation, or agency policy.

Vessel names, hull numbers, and person's name, phone numbers, addresses, and email addresses will be held confidential and will not be released to anyone outside of NEFOP staff. Section 402(b) of the Magnuson-Stevens Conservation and Management Act, NOAA Administrative Order 216-100, and Section 118 of the Marine Mammal Protection Act are the statutory authorities for confidentiality. This information regarding confidentiality is on the comment card.

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior and attitudes, religious beliefs, and other matters that are commonly considered private.

NA.

12. Provide an estimate in hours of the burden of the collection of information.

Public reporting burden for this collection of information is estimated to average 15 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information.

Vessels may carry several observers or the same observer on several trips throughout the year. It is expected that NEFOP may observe 960 different vessels in one year. We expect at least 65% of our customers, or 624, to fill out the Comment Card on an average of twice per year, resulting in an estimated 1,248 completed cards per year. Therefore, the estimated total number of annual hours would be 312 (15 minutes x 1,248).

13. Provide an estimate of the total annual cost burden to the respondents or record-keepers resulting from the collection (excluding the value of the burden hours in Question 12 above).

There will be no reporting or recordkeeping cost to the public.

14. Provide estimates of annualized cost to the Federal government.

It is estimated that it will cost the program \$521 in mailing fees and \$650 in copying costs per year. It is estimated that 312 hours of staff time would be needed per year (15 minutes x 1,248) to review the survey results, summarize the results, and provide feedback to the fishermen or observer providers if needed. At \$40/hr, the cost of staff time annually is \$12,480. The total cost is \$13,651 (\$521 + 650 + 12,480).

15. Explain the reasons for any program changes or adjustments.

Based on the increase in affected vessels and the activity in the past three years, we estimate 104 additional respondents, 208 additional responses and 52 additional burden hours per year.

16. For collections whose results will be published, outline the plans for tabulation and publication.

Survey summaries as described in response to Question 2 of this supporting statement will be given semi-annually. The summaries will be posted on the FSB website listed above. Vessel names, hull numbers, and person's name will be held confidential and will not be released outside of NEFOP staff.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons why display would be inappropriate.

NA.

18. Explain each exception to the certification statement identified in Item 19 of the OMB 83-I.

NA.